IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Bail Appl..No. 7552 of 2006()

CMP.1805/2006 of J.M.F.C, MANANTHAVADY
CR 26/05 of Mananthavady Excise Range

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PETITIONER/ACCUSED (IN CUSTODY)

PANNI THOMA @ THOMAS (THOMAS ANTONY)
AGED 49 YEARS, KULATHINKAL VEEDU,
PERIA VILLAGE, MANANTHAVADY TALUK.

BY ADV. SRI.JESWIN P.VARGHESE

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. A.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.7552 of 2006

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Dated this the 21st day of December, 2006.

ORDER

Petitioner, who is the accused in CR No.26 of 2005 of Mananthavady Excise Range for offences punishable under Section 8 (1) and (2) of the Abkari Act for allegedly having been found in possession of 10 liters of illicit arrack on 17.7.2005 and who was arrested on 2.12.2006, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,
JUDGE.

ess 21/12